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PATENT**Remarks**

Favorable reconsideration of this application is respectfully requested in view of the above amendments and following remarks. Claim 1 is amended and supported, for example at page 5, lines 6-8 and in descriptions of the Examples. Claim 3 is amended to depend upon claim 1. No new matter has been added. Claims 1-6 are pending.

Claims 1-6 are provisionally rejected on the ground of non-statutory obviousness type double patenting over claim 20 of copending Application No. 11/667633. The rejection is rendered moot, as Applicants submit a Terminal Disclaimer herewith. Withdrawal of the rejection is respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fester et al. (US 4,383,086) and also as being anticipated by Cazzaro et al. (US 4,287,148). Applicants respectfully traverse the rejections to the extent they are maintained.

Claim 1 is directed to a dyeable acrylic shrinkable fiber. The fiber requires 50 to 99 parts by weight of a polymer (A) and 1 to 50 parts by weight of a polymer (B). Polymer (A) comprises 80 to 97 wt % of acrylonitrile, 0 to 2 wt % of a sulfonic acid group-containing monomer and 3 to 20 wt % of a copolymerizable monomer being at least one selected from the group consisting of acrylic acid, methacrylic acid and lower alkyl esters thereof, and methyl acrylate. Polymer (B) comprises 0 to 89 wt % of acrylonitrile, 1 to 40 wt % of a sulfonic acid group-containing monomer and 10 to 99 wt % of a copolymerizable monomer being at least one selected from the group consisting of acrylic acid, methacrylic acid and lower alkyl esters thereof, and methyl acrylate.

Fester et al. and Cazzaro et al. do not disclose or suggest the features of claim 1 for at least the following reasons. Fester et al. discusses using various copolymers, but fails to disclose or suggest at least the particular polymer (B) required by claim 1. For example, Fester et al. fails to disclose or suggest the relative content of the copolymerizable monomer at 10 to 99 wt % in the polymer (B). See e.g. Table 1. With reference to Cazzaro et al., this reference also fails to disclose or suggest at least the particular polymer (B) required by claim 1. As with Fester et al., Cazzaro et al. fails to disclose the relative content of the copolymerizable monomer at 10 to 99 wt % in the polymer (B). Cazzaro et al. is further removed from claim 1 as the reference is directed to use of two binary copolymers each having only two constituents, which is completely different from

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the compositions of polymers (A) and (B) of claim 1. In fact, Cazzaro et al. uses a binary copolymer A that contains relative amounts of monomeric units derived from acrylonitrile and monomeric units derived from a sulphonic comonomer, and uses a binary copolymer B that contains relative amounts of monomeric units derived from acrylonitrile and monomeric units derived from vinylidene chloride. See e.g. col. 3, lines 19-35 and Examples in Cazzaro et al. For at least these reasons, Fester et al. and Cazzaro et al. do not anticipate claim 1 or its dependent claims.

Moreover, claim 1 can provide an acrylic shrinkable fiber with good dyeability when the relative amount of copolymerizable monomer as claimed is used. See e.g. page 6, lines 18-20 and examples in Applicants' specification. However, Fester et al. and Cazzaro et al. do not recognize such benefits and, as noted above, fail to disclose the polymer (B) required by claim 1. Consequently, the references are even further removed from satisfying claim 1 or any of its dependents. Therefore, claims 1-6 are allowable.

Favorable reconsideration and withdrawal of the rejections are respectfully requested.

Claims 3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Corbishley et al. (US 3,945,793) and also as being anticipated by Binder et al. (US 3,355,243). Applicants respectfully traverse the rejections to the extent they are maintained.

Claims 3 and 6 depend upon and further limit claim 1. Applicants respectfully submit that claims 3 and 6 are distinguished from Corbishley et al. and Binder et al. for at least the same reasons noted above with respect to claim 1. Corbishley et al. and Binder et al. fail to disclose or suggest claim 1. For example, Corbishley et al. and Binder et al. at least fail to disclose or suggest the polymer (B) as required by claim 1. Applicants do not concede the correctness of the rejection as applied to dependent claims 3 and 6.

Favorable reconsideration and withdrawal of the rejections are respectfully requested.

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With the above amendments and remarks, Applicants respectfully submit that the claims in this application are allowable. Favorable reconsideration and request for a Notice of Allowance are respectfully solicited. If any questions arise regarding this communication, the Examiner is invited to contact Applicants' representative at the number listed below.

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Respectfully submitted,

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